UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DUANE HUBEL,   :
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                                          Plaintiff,   :
                      -against-   :   22-CV-10285 (VEC)
                                                                 :
                                                                 :   ORDER
DRIVE CHASSIS TOPCO PARENT, L.P.,   :
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                                                                 :
                                          Defendant.   :
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VALERIE CAPRONI, United States District Judge:

WHEREAS on December 5, 2022, Plaintiff filed a Complaint against Drive Chassis

Topco Parent, L.P., *see* Compl., Dkt. 1;

WHEREAS Plaintiff alleges that this Court's subject matter jurisdiction in this matter is

premised on diversity, *id.* ¶ 15;

WHEREAS for purposes of diversity jurisdiction, "a limited partnership has the

citizenship of each of its general and limited partners," *Caren v. Collins*, 689 F. App'x 75, 76 (2d

Cir. 2017) (citing *Carden v. Arkoma Assocs.*, 494 U.S. 185, 195–96 (1990)); and

WHEREAS an action premised upon diversity of citizenship in which a limited

partnership is a party must allege the citizenship of natural persons who are members of the

limited partnership and the place of incorporation and principal place of business of any

corporate entities that are members of the limited partnership, *see Handelsman v. Bedford*

Village Associates Ltd. Partnership, 213 F.3d 48, 51–52 (2d Cir. 2000) (citation omitted); *see*

also Sumner v. Marriott Int'l, Inc., No. 21-CV-6711 (PKC), 2021 WL 3542805, at *1 (S.D.N.Y.
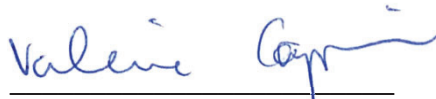
Aug. 11, 2021);

WHEREAS the Complaint alleges that Defendant "is a Delaware Limited Partnership formed under the laws of Delaware and headquartered in the State of New York," Compl. ¶ 12; and

WHEREAS the Complaint makes no allegations as to the citizenship of Defendant's partners;

IT IS HEREBY ORDERED that not later than **Tuesday, December 13, 2022**, Plaintiff must file an amended complaint that cures the deficiencies described herein or the complaint will be dismissed without prejudice for lack of subject matter jurisdiction.

SO ORDERED.

Date: December 6, 2022
      New York, New York

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      VALERIE CAPRONI
      United States District Judge